

PTO/SB/06 (08-03)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> <small>Substitute for Form PTO-875</small>						Application or Docket Number <b>09-809158</b>	
<b>CLAIMS AS FILED – PART I</b> <div style="display: flex; justify-content: space-around;"> <span>(Column 1)</span> <span>(Column 2)</span> </div>							
FOR	NUMBER FILED	NUMBER EXTRA					
BASIC FEE (37 CFR 1.16(a))							
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	•					
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	•					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))							
* If the difference in column 1 is less than zero, enter "0" in column 2.							
<b>CLAIMS AS AMENDED – PART II</b> <div style="display: flex; justify-content: space-around;"> <span>(Column 1)</span> <span>(Column 2)</span> <span>(Column 3)</span> </div>							
AMENDMENT A	9-9-05	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	33	Minus	57	=		
	Independent (37 CFR 1.16(b))	9	Minus	8	=		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						
	1, 17, 19, 24, 51, 52, 55, 58, 59						
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	•	Minus	**	=		
	Independent (37 CFR 1.16(b))	•	Minus	***	=		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	•	Minus	**	=		
	Independent (37 CFR 1.16(b))	•	Minus	***	=		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						
SMALL ENTITY							
RATE	FEE						
	\$ _____						
X \$ _____ =							
X \$ _____ =							
+ \$ _____ =							
TOTAL							
OTHER THAN SMALL ENTITY							
RATE	FEE						
	\$ _____						
X \$ _____ =							
X \$ _____ =							
+ \$ _____ =							
TOTAL							
SMALL ENTITY							
RATE	ADDITIONAL FEE						
X \$ _____ =	/						
X \$ _____ =	10000						
+ \$ _____ =							
TOTAL ADD'L FEE	10000						
OTHER THAN SMALL ENTITY							
RATE	ADDITIONAL FEE						
X \$ _____ =							
X \$ _____ =							
+ \$ _____ =							
TOTAL ADD'L FEE							

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Cowing, Carol O.  
 App. No. : 09/809,158  
 Filed : March 15, 2001  
 For : METHOD TO ENHANCE  
 THE IMMUNOGENICITY OF  
 AN ANTIGEN  
 Examiner : Canella, Karen A.  
 Art Unit : 1643

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 7, 2005

(Date)

Marina L. Gordy, Reg. No. 52,950

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Notice of Non-Compliant Amendment in 10 pages.
- (X) Copy of Notice of Non-Compliant Amendment, mailed August 23, 2005.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	33 - 57 = 0	2202 (\$25)	0 x 35 =	\$0
Independent Claims	9 - 9 = 0	2201 (\$100)	0 x 100 =	\$0
Multiple Claim		2203 (\$180)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$0</b>

- (X) Return prepaid postcard.

Appl. No. : 09/809,158  
Filed : March 15, 2001

#### REMARKS

This amendment addresses the Office Communication mailed August 23, 2005 regarding filing an Amendment on June 8, 2005 which did not comply with the requirements of 37 CFR 1.121(c) because claim 23 contained an inaccuracy with respect to the lined out text (1, rather than 19), and Claim 52 was listed as "previously presented" but in fact was amended because previous Claim 52 recited "of a lipophilic" in line 3 rather than "a lipophilic". The Applicant has now corrected claim 23 as to what is being amended, and Claim 52 is now identified as "currently amended". According to MPEP 714.03, "Applicant's reply to a Notice of Non-Compliant Amendment should consist of a corrected version of only that portion of the amendment which previously failed to comply with 37 CFR 1.121. It is not necessary for applicant to resubmit the entire amendment document." Therefore, the present reply reproduces only the Claims pages of the previous Amendment filed September 16, 2004, with the corrections described above.

#### CONCLUSION

Applicant has addressed all of the Examiner's concerns as expressed in the outstanding Notice of Non-Compliant Amendment. If the Examiner finds any remaining impediment to the prompt allowance of the pending claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 7, 2005

By: 

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